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December 23, 2002

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GROUP 1600

TO: Todd D. Ware (TC 1600)

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GROUP: 1615

FAX NUMBER: 703-872-9307

ATTORNEY DOCKET NO.: BDA-0038

SERIAL NO.: 09/171,885

FILED: October 28, 1998

NUMBER OF PAGES: 7

MESSAGE: Attached for filing please find our Reply to Advisory Action and Petition for Extension of Time. Kindly forward confirmation of filing receipt.

JANE MASSEY LICATA, Registration No. 32,257

KATHLEEN A. TYRRELL, Registration No. 38,350

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1/4/03RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1615

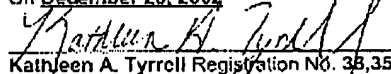
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: BDA-0038
Inventors: Roger S. Cubicciotti
Serial No.: 09/171,885
Filing Date: October 28, 1998
Examiner: Ware, Todd
Group Art Unit: 1615
Title: Prodrug Compositions and Drug Delivery
Methods Using Synthetic Receptors

Certificate of Facsimile Transmission

I hereby certify that this document is being facsimile
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the date shown below.

On December 23, 2002


Kathleen A. Tyrrell Registration No. 38,350

BOX AF

U.S. Patent & Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

Reply to Advisory Action

This is a reply to the Advisory Action dated December 3,
2002. A Petition for a three (3) month extension of time and the
requisite fee are provided herewith.

Reconsideration of the refusal to enter amendments filed by
Applicant on October 16, 2002 is respectfully requested

01/10/2003 YCHADWIC 200000003 501619 09170885
01 FD:1253 920.00

Attorney Docket No.: BDA-0038
Inventors: Roger S. Cubicciotti
Serial No.: 09/171,885
Filing Date: October 28, 1998
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reasons for the Examiner's refusal are improper.

The Examiner has refused entry of the October 16, 2002 amendments on the basis that they raise new issues that would require further consideration and/or search. More specifically, the Examiner suggests that further search and consideration is required for the process where the synthetic receptor is no longer required to be an antibody fragment since previous consideration permitted antibody fragments as the synthetic receptor.

Applicant respectfully disagrees.

Contrary to the Examiner's suggestion, prior to amendment, the claims were not drawn to a synthetic receptor "required to be antibody fragment". Instead, the claims were drawn to a sythetic receptor selected from the group consisting of antibodies, antibody fragments, oligonucleotides and oligosaccharides. The October 16, 2002 amendment merely deleted the member "antibody fragments" from this Markush group. Thus, further searching and consideration is not required simply from cancelation of one member of the Markush group.

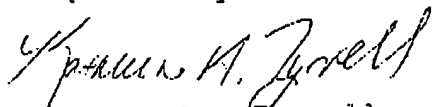
In accordance with MPEP § 714.13, amendments which cancel claims, adopt the Examiner's suggestions, remove issues for appeal, or in some other way require only a cursory review by the

Attorney Docket No.: BDA-0038
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Examiner comply with 37 C.F.R. 1.116 and should be entered. The amendment of October 16, 2002 merely canceled a member from a Markush group of the claims and therefore is very similar to cancellation of a claim. Further, this amendment removes all issues for appeal and addresses specifically the Examiner's stated concern in the Office Action of July 16, 2002 that the claims contained the "antibody-fragment limitation". In addition, since all rejections are overcome by this claim amendment, only a cursory review by the Examiner is required for allowance of this case.

It is therefore respectfully requested that the October 16, 2002 amendment by Applicant be entered and that the pending claims be allowed.

Respectfully submitted,

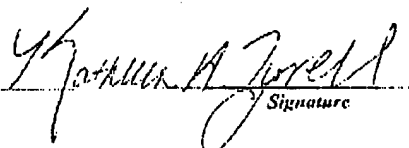


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Date: December 23, 2002

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TRANSMITTAL LETTER (General - Patent Pending)			Docket No. BDA-0038
In Re Application Of: Roger S. Cubicciotti			
Serial No. 09/171,885	Filing Date October 28, 1998	Examiner Todd D. Ware	Group Art Unit 1615
Title: Prodrug Compositions and Drug Delivery Methods Using Synthetic Receptors			
<p style="text-align: center;"><u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u></p> <p>Transmitted herewith is:</p> <p>Reply to Advisory Action; Petition for Extension of Time (3 months) with authorization to charge deposit account \$460.00 for extension fee; Certificate of Transmission by Facsimile;</p> <p>In the above identified application.</p> <p><input checked="" type="checkbox"/> No additional fee is required. <input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 50-1619 as described below. A duplicate copy of this sheet is enclosed. <input type="checkbox"/> Charge the amount of _____ <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"><div style="text-align: center;"> _____ Signature</div><div style="text-align: right;">Dated: December 23, 2002</div></div> <div style="margin-top: 10px;">Kathleen A. Tyrrell, Registration No. 38,350 LICATA & TYRRELL P.C. 66 East Main Street Marlton, New Jersey 08053 Tel: 856-810-1515 Fax: 856-810-1454</div>			
CC:		<div style="border: 1px solid black; padding: 5px;"><p>I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.</p><p style="text-align: center;">_____ Signature of Person Mailing Correspondence</p><p style="text-align: center;">_____ Typed or Printed Name of Person Mailing Correspondence</p></div>	